



April 29, 2004

Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W., Room TW A-325
Washington, DC 20554

Re: Ex Parte Notice – WT Docket No. 02-55
Improving Public Safety Communications in the 800 MHz Band

To the Secretary:

This is to provide notice that, on April 28, 2004, representatives of the United Telecom Council (UTC), met with Commissioner Michael J. Copps and Wireless Legal Advisor Paul Margie concerning the above-referenced docket. The purpose of the meeting was to discuss issues of importance to critical infrastructure licensees in the 800 MHz PLMRS frequency band.

UTC stressed the potential difficulties to critical infrastructure depending on the details of mandated migration, including who determines what costs are reimbursed and who administers the process. We also stressed the impossibility that CI systems be "frozen" for any lengthy period of time, or excluded from access to additional spectrum. UTC also continues to oppose strongly any restriction on private wireless from migrating to advanced technology. Many public safety and critical infrastructure licensees are already doing so, and to prohibit this trend would be to render the frequency band – the most important PLMRS band available – useless in future years. Technical rules proposed by both the 800 MHz Users Coalition and "Consensus plan" proponents would require improved engineering to prevent interference from such systems, and should be implemented to make all parties responsible for preventing interference to all licensees.

This Notice is being filed pursuant to Section 1.1206 of the Commission's Rules and Regulations, 47 C.F.R. § 1.1206. If there are any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill M. Lyon", with a long, sweeping horizontal line extending to the right.

Jill M. Lyon
Vice President and General Counsel

Cc: Hon. Michael J. Copps
Paul Margie, Esq.